

Customer No. 33401

Attorney Docket No. 073758-0013

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OCT 07 2005**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: C. Earl Woolfork	Group Art Unit: 2644
Serial No.: 10/648,012	Examiner: Andrew R. Graham
Filed: August 26, 2003	
For: WIRELESS DIGITAL AUDIO SYSTEM	

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.6(d)**

I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300 under 37 CFR 1.6(d) on the date below.

Date: 10/7/05  
Anita Chou

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TELEPHONE INTERVIEW SUMMARY**

Sir:

The courtesy extended by Examiner Graham and a primary examiner during a telephone conversation held on August 24, 2005 is appreciated. During the telephone discussion, Examiner Graham indicated that he had not yet searched the claims presented via preliminary amendment on or about July 1, 2005. Accordingly, no agreement was reached as to the claims. Moreover, Examiner Graham indicated that the notice of appeal had been deemed defective because the priority claim (made by Applicant's prior attorney) had been unintentionally delayed.

It is believed that no extension of time is needed. However, in case an extension of time is needed, to the extent necessary, a petition for an extension of time under 37

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C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 501946 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL &amp; EMERY LLP

Respectfully submitted,

October 7, 2005  
Date

Daphne L. Burton  
Daphne L. Burton  
Registration No. 45,323

MCDERMOTT WILL & EMERY LLP  
2049 Century Park East, 34th Floor  
Los Angeles, CA 90067  
Telephone: (310) 277-4110  
Facsimile: (310) 277-4730